CERTIFICATE OF MAILING

I certify that this document and fee is being deposited with the U.S. Postal Service as First Class Mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Signature of Person Mailing Correspondence

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT** 

Applicant(s):

Saunders, et al.

Docket No.:

60655.5600

Serial No.:

10/708,569

**Group Art Unit:** 

TBA

Filed:

March 11, 2004

Examiner:

TBA

Title:

SYSTEM AND METHOD

Confirmation No.:

2568

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INFORMATION DURING COMPLETION OF A TRANSACTION

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner For Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Commissioner:

This Supplemental Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on Form SB08, a copy of which is enclosed, may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent

Serial No.: 10/708,569 Docket No.: 60655.5600

reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. [ ]	not in	ach of the following items listed on the enclosed copy of Form SB08 that is the English language, an English language translation of that item or a n thereof or a concise explanation of the relevance of that item is enclosed:
2. [ X	enclos submi Divisio	opy of the items listed on the enclosed copy of Form SB08 that is not sed with this Information Disclosure Statement was previously cited by or tted to the Patent and Trademark Office in the prior [ ] Continuation, [ ] onal or [X ] Continuation-In-Part application under 37 C.F.R. §1.60, U.S. No, filed, filed
3. [ X		e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with:
	[X]	37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
	[]	37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
	[]	37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
4.[]	since specif Notice accon	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period ied in paragraph 3 above but before the mailing date of a final action or a e of Allowance (where there has been no prior final action), and is appanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth agraph 8 below.
5. [ ]	since specif	is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(c), after the period ied in paragraph 3 above but before the mailing date of a final action or a of allowance (where there has been no prior final action):
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.
	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
6.[]		is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date

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Serial No.: 10/708,569 Docket No.: 60655.5600

of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.

 A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. [ ] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. [ ] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below
- 8. [ ] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
  - [ ] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 9. [ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
  - [ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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Serial No.: 10/708,569 Docket No.: 60655.5600

[ X ]The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Snetl & Wilmer

Dated: <u>3 / / 7 / # 4</u>

Howard I. Sobelman Registration No. 39,038

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One Arizona Center
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(602) 382-6070 Telecopier

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PTO/SB/08a (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

60655.5600

Under the Paperwork Reduction Act of 1995, no persons e required to respond to a collection of information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO MAR 1 9 2004 Application Number 10/708,569 INFORMATION DISCEOSURE March 11,2004 Filing Date STATEMENT BY APPLIE First Named Inventor Peter Saunders, et al. Art Unit TBA (use as many sheets as necessary) Examiner Name TBA

Attorney Docket Number

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				U.S. PAT	ENT DOCUMENTS	
Examiner Initials*	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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		СН	СН689070		08/31/1998	Peter Bresch		
		EP	0 358 525	A2	03/14/1990	W&T Avery Limited		
		EP	0 424 726	Al	10/10/1990	Angewandte Digital Elec.		
		PCT	WO 99/03057	Al	01/21/1999	Robert E. Dorf		
		EP	EP 0 933 717	A2	08/04/1999	Citicorp Development Center		
		EP	EP 0 956 818	Al	11/17/1999	Citicorp Development Center		
		EP	EP 0 959 440	A2	11/24/1999	Citicorp Development Center		
		JP	2000-1109	A	01/14/2000	Citicorp Development Center		
		JP	2000015288	A	01/18/2000	Hitachi Plant Eng & Constr		
		JP	2000-40181	A	02/08/2000	Unknown		

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Signature	Considered		

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Substit	ute for form 1449A/P	то		Complete if Known			
				Application Number	10/708,569		
INF	ORMATIO	N DIS	CLOSURE	Filing Date	March 11, 2004		
STA	ATEMENT	BY A	PPLICANT	First Named Inventor	Peter Saunders, et al.		
				Art Unit	TBA		
	(use as many sh	neets as	necessary)	Examiner Name	TBA		
Sheet	2	of	. 8	Attorney Docket Number	60655.5600		

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Examiner Initials*	Cite No.1	Document Number	Kind Code	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Initials*	No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T <sup>6</sup>
		PCT	WO 00/10144	Al	02/24/2000	3M Innovative Properties Co		
		JP	200067312	Α	03/03/2000	IBM		
		EP	EP 0 984 404	A2	03/08/2000	IBM		
		PCT	WO 00/38088	A1	06/29/2000	John Klayh		
		EP	EP 1 016 947	A2	07/05/2000	Texas Instruments Inc.		
		JP	2000207641	Α	07/28/2000	NCR International Inc		
		EP	EP 1 039 403	A2	09/27/2000	Citicorp Development Center		
		JP	2001-5931	Α	01/12/2001	Unknown		
		PCT	WO 01/04825	Al	01/18/2001	Intermec IP Corp.		
		PCT	WO 01/15098	Al	03/01/2001	Gamut Interactive		

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Substitut	te for form 1449A/	PTO		Со	Complete if Known			
				Application Number	10/708,569			
INFO	DRMATIO	N DIS	CLOSURE	Filing Date	March 11, 2004			
STA	TEMENT	BY A	PPLICANT	First Named Inventor	Peter Saunders, et al.			
				Art Unit	TBA			
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Examiner Initials*	Cite No.1	Document Number  Number Kind Code (if known)		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear						
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miliais	No.1	00		(if known)	141111 00 11111		Figures Appear	<u> </u>
		PCT	WO 01/15098	Al	03/01/2001	Gamut Interactive		
		EP	EP 1 104 909	A2	06/06/2001	Smartel S.P.A.		
		PCT	WO 01/43095	A2	06/14/2001	Intermec IP Corp.	,	
		EP	EP 1 113 387	A2	07/04/2001	Schlumberger Systemes		
		PCT	Wo 01/72224	Al	10/04/2001	Wolf Fernlund		
		JP	2001283122	A	10/12/2001	Dainippon Printing Co., Ltd.		
		PCT	WO 01/77856	A1	10/18/2001	Brightstreet.com Inc.		
		PCT	WO 01/80473	A2	10/25/2001	Sony Electronics, Inc.		
		PCT	WO 01/86535	ΑI	11/15/2001	Cadmus Technology Ltd.		
	· .	PCT	WO 01/90962	A1	11/29/2001	Grosvenor Leisure Inc.		

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Substitu	te for form 1449A/PT	О		Complete if Known		
			201 001105	Application Number	10/708,569	
INF	ORMATION	I DI	SCLOSURE	Filing Date	March 11, 2004	
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Examiner	Cite	Document	t Number	Publication Date	Name of Patentee or	Pages, Columns, Lines, Where Relevant Passages or Relevant
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		PCT	WO 01/95243	A2	12/13/2001	Battelle Memorial Institute		
	PCT WO 02/01485 A1		01/03/2002	Smartclic Corporation				
		PCT	WO 02/13134	A2	02/14/2002	Medmicrochip LC		
		PCT	WO 02/21903	Al	03/21/2002	Mario Witte		
		EP	EP 1 199 684	A2	04/24/2002	Marconi Commerce Systems		
		PCT	WO 02/063545	A2	08/15/2002	Sensormatic Electronics Corp		
		PCT	WO 02/065246	A2	08/22/2002	Stockback Holdings, Inc.		
		PCT	WO 02/065404	A2	08/22/2002	Stuart Williams		
		PCT	WO 02/069221	A1	09/06/2002	Frequency Marketing, Inc.		
		PCT	WO 02/073512	A1	09/19/2002	3M Innovative Properties Co.		

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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

Complete if Known Substitute for form 1449A/PTO 10/708,569 **Application Number** INFORMATION DISCLOSURE March 11, 2004 Filing Date STATEMENT BY APPLICANT First Named Inventor Peter Saunders, et al. Art Unit TBA (use as many sheets as necessary) TBA Examiner Name 60655.5600 Attorney Docket Number Sheet of

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		EP	EP 1 251 450	Al	10/23/2002	NCR International Inc.		
		PCT	WO 02/086665	A2	10/31/2002	United States Postal Service		
		PCT	WO 02/091281	A2	11/14/2002	Outsite Networks Inc.		
		PCT	WO 02/097575	A2	12/05/2002	American Express TRS Co.		
		PCT	WO 02/101670	A2_	12/19/2002	3M Innovative Properties		
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		OTHER PRIOR ART NON PATENT LITERATURE DOCUMENTS	
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		"What's New: Timex Watch Features Speedpass System", http://www.speedpass.com/news/article.jsp?id=51 (1 page)	
		"Physical Reality: A Second Look", Ken Sharp, Senior Technical Editor, http://www.idsystems.com/reader/1999_03/phys0399_pt2/phys0399_pt2.htm (6 pages)	
		"Magic Wands' to Speed Mobile Sales", BobBrewin, Jan. 15, 2001, http://www.computerworld.com/mobiletopics/mobile/story/1,10801,563300.html (4 pages)	
		"Mobile Speedpass Goes GLobal as Mobil Singpaore Rolls Out Asia's First RFID-Based Pay-At-The-Pump System", Press Release, April 5, 1999, http://www.ti.com/tiris/docs/news_releases/rel12.htm (3 pages)	
		"Speedpass Unleashed", June 4, 2002, http://www.cardweb.com/cardtrak/news/cf2_20a_97.html (2 pages)	
		Prophecy Central Update #9, October 10, 1997, http://www.bible-prophecy.com/pcu9.htm (5 pages)	
		International newsletter of the TI RFID Group, Issue 20, 2000 (12 pages)	
		"CES: Microsoft's SPOT Technology has Humble Origins", by James Niccolai, January 10, 2003, http://archive.inforworld.com/articles/hn/xml/03/01/10/030110hnsport.xml?s=IDGNS (3 pages)	
		"Microsoft: See SPOT Run On Your Wrist", by Richard Shim, June 5, 2003, http://news.com.com/2100-1041_3-1013442.html?tag=fd_top (1 page)	
		"Networking: Microsoft SPOT", by Jeremy A. Kaplan, July 1, 2003, http://www.pcmag.com/print_article/0,3048,a=43561,00.asp (2 pages)	
		"Microsoft Launches Smart Personal object Technology Initiative", Press Release from COMDEX Fall 2002, November 17, 2002, http://www.Microsoft.com/presspass/features/2002/nov02/11-17SPOT.asp (4 pages)	
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<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Substitu	ite for form 1449B/	(PTO		Complete if Known			
				Application Number	10/708,569		
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Sheet	7	of	8	Attorney Docket Number	60655.5600		

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xaminer nitials*	Cite No.1	item (book, magazine, journal, serial, symposium, catalog, etc.), date, p publisher, city and/or country where publis		ssue number(s),	T <sup>2</sup>
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		"MasterCard to Test RFID Card: Pilot will test whether consumers, "contactless payments", RFID Journal, 12/20/2002	merchants and	credit card issuers value	
		"Vendors Target Amusement Parks: Protecting children and enabling appealing option for the entertainment industry", RFID Journal, 11/2	ng cashless pay 27/2002	ments make RFID an	
		"Inside's Next-Gen Smart Card: The French company plans to intro microprocessor and new encryption technology", RFID Journal, 10/	duce an RFID 29/2002	card that uses a 16-bit	
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		"Security for Wireless Java: NTRU, a startup that offers security so NTRU encryption algorithm", RFID Journal, 06/27/2002	ftware, has rele	eased a Java version of its	
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		"Multiple Frequency Transponders: "Volume production of dual-ba Solutions, 07/16/2003	and RFID chips	s begins", Frontline	
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